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IMPLICATIONS OF ABANDONING SALT

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HEARING

BEFORE THE

SUBCOMMITTEE ON ARMS CONTROL,
INTERNATIONAL SECURITY AND SCIENCE

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

SECOND SESSION

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IMPLICATIONS OF ABANDONING SALT

TUESDAY, APRIL 15, 1986

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON ARMS CONTROL,
INTERNATIONAL SECURITY AND SCIENCE,
Washington, DC.

The subcommittee met at 10:15 a.m., in room 2172, Rayburn House Office Building, Hon. Dante B. Fascell (chairman of the subcommittee) presiding.

Chairman FASCELL. The committee will come to order.

U.S. SALT COMPLIANCE POLICY

We meet today to discuss the administration's policy toward the SALT agreements. This policy is currently under active review.

As we know, the eighth Trident submarine, U.S.S. *Nevada,* will begin sea trials in May. At that time, the United States will have to dismantle two Poseidon submarines in order to comply with the SALT numerical limits.

Of course, there are rumors of all kinds about what the administration may do and may not do, and that it may opt as part of its proportionate response policy to drydock as opposed to dismantling the two Poseidons. Anything less than dismantling the two Poseidons, both near retirement anyway, would not only be a clear violation of SALT, but also would signal the unraveling of the arms control regime of the last 15 years.

Such an outcome, it seems, would unnecessarily jeopardize progress in the Geneva arms talks, if the negotiations are indeed really going anywhere. It would make prospects of a second summit later this year unlikely.

What is behind the administration's reassessment is the serious issue of Soviet compliance. Of course, we cannot ignore this issue, but we have to decide how far we want to go in dealing with the problem of compliance.

According to the administration's own assessment, Soviet noncompliance has not been militarily significant. Outright Soviet abandonment of the SALT agreements, however, could be militarily significant and of serious consequence to strategic stability. That is one of the matters we will examine in today's hearing.

So, the whole question of vulnerability comes into play if we have unrestrained and accelerated arms buildup, and therefore it is important for us to take a good, hard, serious look at what our arms control policy should be.

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To assist us in this assessment, we are pleased to have two expert witnesses: The Honorable Harold Brown, former Secretary of Defense, currently director of the Johns Hopkins Foreign Policy Institute; and the Honorable Ralph Earle, former Director of ACDA and chief negotiator to the SALT talks.

Dr. Brown, Ambassador Earle, we are delighted to have you here. We appreciate your taking the time to help us with this matter and make a substantive contribution on the issue for the American people and the Congress.

STATEMENT OF HON. HAROLD BROWN, DISTINGUISHED VISITING PROFESSOR OF NATIONAL SECURITY AFFAIRS, JOHNS HOPKINS FOREIGN POLICY INSTITUTE

Mr. BROWN. Thank you, Mr. Chairman.

I am pleased to have the opportunity to appear before you today to talk about the question of policy as regards compliance with the SALT agreements.

I do not have a prepared statement. What I would like to do, if this is acceptable to you, is talk about the subject for 5 or 10 minutes and then take questions.

Chairman FASCELL. That will be fine.

Would you mind pulling the mike up to you a little bit?

Mr. BROWN. Yes, sir.

Chairman FASCELL. It is voice-activated.

SOVIET COMPLIANCE RECORD

Mr. BROWN. I think we have to begin with the questions of Soviet compliance or noncompliance with the various SALT treaties and with the question of whether their continued observance or, in milder form, a policy of not undercutting them, is in the United States interests or not.

With regard to Soviet compliance, I would say that the Soviets have in many instances exploited ambiguities in the language of the treaties, which will always be present in any document; that they have taken full advantage of such ambiguities; that, in some cases, they have gone up to the edge and perhaps over the edge; and, in one case, I think they are clearly in the process of actions that will lead to noncompliance.

The latter is the Krasnoyarsk radar which, when it goes into operation, I am convinced will operate as an early warning radar. That would be in violation of the ABM treaty, which requires that such radars be on the periphery and looking outward.

Other possibilities or examples of possible or probable violations are more ambiguous. The SS-25 is—the Soviets say—a redesigned missile. The U.S. Government, and I agree, believe it to be a new design. The SALT II agreement requires all such designs, whether new or old, except one—and the Soviets have said the SS-24, not the SS-25, is that one—to fall within certain limits of throwweight, missile weight, and so forth, as compared with preexisting missiles.

The Soviets say it is a variant of the SS-13. Well, it is not. It is obviously a new missile.

That doesn't matter in terms of the treaty. The question is whether the relevant parameters—for example, throwweight—are

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within 5 percent of that of the SS–13. If they are, the missile is in compliance, and not a new missile by definition of the treaty. I have seen some of the evidence on this. I think it is ambiguous. I think it is quite possible that the Soviets have violated the treaty. The evidence is not completely conclusive, so I would have to say it is still somewhat of an open question. I think it is at the very least a suspicious situation.

The third example is encryption of telemetry. Here the language clearly was ambiguous. The Soviets are now certainly encrypting telemetry far beyond what they did at the time of the signing of the SALT II Treaty. The treaty requires that any telemetry encryption not be such as to impede verification.

There clearly are some places where Soviet encryption of telemetry has made it more difficult to find out, for example, what the throwweight is of some of these missiles. That does impede our ability to verify.

The Soviets say it does not prevent verification. That becomes a more ambiguous question. In my judgment, the borderline in the treaty is not whether it prevents; it is whether it impedes. But, impedes is not a very well-defined concept.

I will come back to the question of what we should do about all these things in a minute. But as to encryption, I would say we have poor language, the Soviets are probably violating the spirit, and it is hard to prove they are violating the letter of the agreement.

As to launcher numbers, the United States claim that the Soviets have violated the agreement not to increase the number of launchers above what were the number in place when the treaty was signed. There is a separate provision in the treaty that calls for a reduction to 2,250 launchers. That provision comes into force, by explicit treaty language, not on signing of the treaty but of ratification. Clearly, that provision never came into force. The Soviets are not accused of violating that one. They are accused of undercutting the SALT II Treaty by having increased the number of launchers.

The question is, How many SALT accountable launchers do they have? There, I guess I would say the evidence is poor. I don't think that that case has been proven. Some suspicion, but it has not been proven.

Since if we had ratified the treaty the Soviets would have been forced to reduce to 2,250, we are in a poor political—not necessarily a poor legal but a poor political—position to make much out of this one.

I would regard this collection of evidence and of concerns about Soviet compliance as troublesome. I don't think it should be swept under the rug. I think it is something to be concerned about.

The question is how to react to it. I will come back to that in a minute. That is the issue you are most concerned with.

STRATEGIC IMPLICATIONS OF SALT ABANDONMENT

Let me turn to the question of, whether a policy of not undercutting the SALT II treaty works in the interests of the United States? I would say clearly it does, providing both sides don't undercut the treaty, because an abandonment of the SALT II Treaty would allow the Soviets in the next 4 years or so to deploy 500

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launchers more than they could deploy if they did not undercut the treaty, and about 4,000 warheads more.

Because the United States does not have a warm production line for some of these things—and where it does have a going production line, the rate of production is not very large, and the Congress is not likely, in politically realistic terms, given the budget situation, to approve a great expansion of production rates—the United States is very unlikely, in my judgment, to be able to respond with anything like comparable increases.

Some people would argue it doesn't make any difference because, beyond a certain number, it doesn't matter how many warheads there are. Those, by and large, were not the people who argued for retaining the SALT II agreements, however. Some of them, at least—argue we should abandon the SALT agreements, to gain more warheads. They argue that it is very important who has more warheads. I think there is a certain inconsistency in their claims.

The thrust of my argument here is that the Soviets are in a better position than we in terms of military production capabilities and in terms of political constraints to build up their numbers of strategic launchers and warheads much more rapidly over the next 4 or 5 years than we could. That would adversely affect the military balance. It would increase the threat to our fixed land-based ICBM's, which is already a very substantial threat.

It would make less survivable the proposed Midgetman missile. That depends on mobility for its survival, but it can be threatened by a sufficiently large barrage of Soviet attacking warheads, even if the Soviets don't know where, within a large area, the Midgetman missile is. It would increase the threat to barrage our bomber force, as well.

It doesn't yet get to the point where it allows the Soviets to barrage the ocean and threaten our submarine-launched ballistic missile force whose positions they don't know and won't know for the foreseeable future; but it certainly does undercut the survivability of at least two of the three components of the triad.

Suppose, moreover, that the United States goes farther and abandons or erodes the ABM—Anti-Ballistic Missile Treaty. For example, we say the Soviets have violated the ABM Treaty by building the Krasnoyarsk radar, we hereby give 6 months' notice and are withdrawing from it. Then over the next few years the Soviets would be in a position to deploy ground-based antiballistic missile systems, again because they have a warm production base. They actually have a not very significant militarily deployment around Moscow, as is permitted by the ABM Treaty.

We have no deployments. We elected not to deploy what we could have deployed.

So, in 1990, again the Soviets could have a substantial ABM deployment, probably, and we would have none. Would that mean that our deterrent couldn't penetrate? No; it would not mean that. We could still penetrate.

But whatever apprehensions people have about a strategic imbalance would be, and should be, considerably exacerbated under such circumstances.

I have now given the reasons why it is in our military interests and the interests of the military balance, interest of the United

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States from the point of view of the military balance, to continue to have a SALT II agreement observed, and the SALT I agreement and the ABM Treaty.

ARGUMENTS FOR SALT ABANDONMENT

What are the arguments on the other side? One argument is, we should not allow the Soviets to get away with it. That is, if they are encroaching on the spirit of the agreement and, in one case, in the process of violating the agreements, will they do that with impunity? My answer is no; we should not let them do that with impunity.

I don't think, however, the proper response is to abandon the ABM agreement, or for us, ourselves, to violate the SALT agreements. I will come back to that in a minute.

A continuation of that argument is that if we let the Soviets get away with this much, they will do more. They will violate the treaty more. Again, I would agree that that is a good reason for us to do something about it. The question is, What is that something?

It also is argued that we are giving up certain military options, military force options, force procurement options, by continuing to abide by the SALT agreements. I think the answer to that is yes, we are; but they seem to me not to be options that we would be likely to exercise.

The immediate issue is that referred to in the public release made from the chairman of this committee yesterday or the day before. It is the question of whether the United States will continue to abide by the limit of 1,200 on MIRV'd ICBM's and SLBM's when new Trident submarines come—start their sea trials.

The treaty clearly does require that within 6 months of that time, other systems be retired, dismantled, such that the 1,200 limit is preserved. In order to do that, Poseidon boats would have to be dismantled with the dismantling completed within 6 months of the time that new Trident boat comes into sea trials.

And the argument can be made that the United States would by doing that be reducing its strategic force capability in order to comply with the treaty. That is a correct argument. We would be.

The argument is further made, particularly if the Soviets are planning to break out of the ABM Treaty, this is one of the forces you would like to keep in the United States force, because to penetrate Soviet ABM's you would want more warheads.

That argument is not consistent with the argument that the proper response to an adversary's ABM deployment is to reduce your strategic offensive forces and make them outmoded and obsolete. But, in fact, that is not what would be proposed here. It is not what I would expect anybody to do.

I accept the utility of more warheads as a counter to ABM as an argument for not throwing away old forces, but it has to be balanced against what we open up if we violate the SALT II agreement. If we undercut the SALT II agreement, admit we are doing so, and say we are doing it because the Soviets did it first, that would put the Soviets in a position of being able to not retire the forces that they will otherwise have to retire under SALT. It will give the Soviets 500 more launchers and 4,000 more warheads by 1990. It will put us in a worse military position.

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On balance, therefore, I would say the United States is better off continuing to abide by the SALT II agreements, even though we have these concerns about the Soviet actions.

FACTORS INSURING SOVIET COMPLIANCE

Moreover, I do not think that U.S. action undercutting the treaty would cause the Soviets to draw back. What deters the Soviets? Why are the Soviets not going to deploy these 500 extra launchers and 4,000 warheads that, absent the SALT II agreements, they would be expected to do?

One reason is that if they violate the SALT II agreements by doing that, it would harm their political relations in the rest of the world. Clearly, the Europeans would be less susceptible to Soviet proclamations that the Soviet Union is the peaceful country and the United States the warlike one if the Soviets were to go ahead and deploy all these systems, or not retire the old ones, in violation of the SALT agreements.

On the other hand, the Soviets have not admitted to violating SALT. If the United States takes an action that violates it and says it is taking an action that violates it, the onus is off the Soviets if they then proceed to violate it themselves. Whoever admits to violating it first takes the greatest flack.

The second thing that deters the Soviets from these larger deployments, which they can physically do, is United States-Soviet relations. In other words, it would clearly worsen United States-Soviet relations if they did that. There are some reasons for them not to want that to happen.

On the other hand, if the United States proceeds to violate the SALT II agreements, I think the Soviets would probably devalue the importance of United States-Soviet relations in their own calculus, and again I think that this would not have the effect of deterring the Soviets.

Third is cost. Clearly, it will cost them more to have these additional forces than if they did not have them. On the other hand, these are incremental costs. By and large they are things they are doing some of and would do more of, or keeping old forces whose costs they tend not to regard as excessive. So, again I don't think that would deter them.

U.S. OPTIONS

What should we do then? I have said it doesn't make sense for us to violate the SALT II agreements in response to Soviet misbehavior. What should we do? Let's go down the list.

Krasnoyarsk, I say, is a violation. I believe we should engage them further in the special consultative commission [SCC] and should insist that they stop construction. Unfortunately, most of the construction is finished and it might actually be necessary to get a look inside to see how close it was to operational. I would press them on that.

I don't know how it would come out. I happen to think this is one on which the Soviets are somewhat shamefaced. I don't know what happened. My own guess is that it kind of slipped through as a

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cost-reduction program. It is a lot cheaper to put it there than up in the permafrost.

That doesn't make it less of a violation. But I think it is something that slipped by them. It might be possible to push them on that.

On the SS–25, which is a possible violation, the proper response, it seems to me, is to go ahead with the Midgetman Program. That is not a violation of SALT II as it now stands. On the other hand, if no new arms control agreements are reached, deploying it would be a violation.

We should tell the Soviets it is our intention, if we don't reach some sort of agreement legitimizing it, to go ahead with this one anyway. It is so clearly an appropriate—indeed proportional—to the SS–25, which may be legal, and may not, that I think that would not be, in my judgment, undercutting the SALT II Treaty any more than the Soviets have already done.

Encryption of telemetry: It has been proposed we should encrypt our telemetry. I think that would be a very foolish thing to do. It would essentially say our interpretation allows encryption of everything. The Soviets would go ahead and encrypt everything. We would be much worse off.

On the launcher number, as I say, there is poor evidence. I think that the launcher number, including the MIRV'd launcher sublimit, is something we should continue to live up to. If the administration decides that it does not want to dismantle the Poseidon submarines, it could lay them up and delay the sea trials of the new Tridents for some time.

It does not become a violation until 6 months after those sea trials. But I personally think that the President and the country would be better off politically and militarily, as well, if the President would repeat his decision of last summer, his courageous, politically popular, and I think very effective decision to continue not to undercut the SALT II treaties or any of the other SALT agreements.

Thank you, Mr. Chairman.

Chairman FASCELL. Thank you, Mr. Secretary.

Ambassador Earle.

Mr. EARLE. Mr. Chairman, Dr. Brown has to leave at 11 o'clock. I would be willing to delay my comments, if you all want to ask him questions before he departs.

Mr. BROWN. I would appreciate that very much.

Chairman FASCELL. Thank you very much.

As a matter of fact, we do have some questions.

APPROACH TO COMPLIANCE PROBLEM

One of the options that is available as a policy is that the United States will continue to abide by SALT II, but not as long as the Soviets are in violation. As soon as they comply, we will go back to it.

The way I read that—if that is a possible option, and it is—is simply we are looking for a means of walking away from SALT II.

I don't see, in other words, how questions concerning compliance—although they could be part of Geneva, or separate negotia-

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tions—can be resolved if we move away from the special consultative committee process.

Is there some latitude? Should we take the whole issue of compliance, dump it into Geneva, and say yes, we will stay with SALT II; but we are going to have to solve these problems?

Mr. BROWN. The issue of compliance always hangs over the Geneva talks anyway. In drafting new agreements, you worry about how compliance has been monitored and how it has been enforced on old ones.

I think it would be a mistake, Mr. Chairman, to burden the Geneva negotiations with this additional problem. They are going to be tough enough.

I am not terribly optimistic about any early resolution of the very difficult problems of balancing strategic offensive forces of different kinds between the two sides and the relationship of that to strategic defensive forces.

If you put this in there, too, it becomes an excuse, or a reason as well as an excuse, for moving even more slowly. I don't think that would work. Instead, it belongs in the SCC.

Chairman FASCELL. Adding SALT II just puts an additional burden on Geneva?

Mr. BROWN. I think it would. I think it would sour the atmosphere. I think the atmosphere is already somewhat soured by Soviet behavior. I think it would be made considerably worse if the United States said we are not going to comply with the SALT II agreement any more, whether temporarily or indefinitely.

Chairman FASCELL. Let's look at it from the standpoint of the pressures that would be on the Soviet Union. Obviously, they could go ahead—and in a military sense you pointed out how much more advantageous it would be for the Soviets if there were no compliance with SALT II—with their warheads and launchers and other matters that the treaty would otherwise prevent.

And then if you add SDI—and since their response to SDI is going to be to go ahead anyway—it seems to me that aside from the fact that they have the productive capability on line to produce more, they would now have a political incentive to go right ahead and disregard the question of SDI and assume it is already in place, especially if we abandon SALT II.

Mr. BROWN. It would certainly reduce the incentives for them to continue to observe it; no question about that. It is not a simple matter, because the United States feels—correctly, I think—somewhat put upon by Soviet exploitation of loopholes and possible violations.

If that weren't the case, then there would not be any issue here, it seems to me. That is the case.

The question is how best you deal with it. I think you deal with it by pressing further and privately in the special consultative commission, which has not always been the procedure over the past few years. Public denunciation is not always followed by constructive private discussion, which was the rule in earlier times.

I think you have to do more than that. I think the United States has to carry out some actions which are within the agreement, but which the Soviets may well feel would not have been done had

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they not violated or pressed up against the limits or violated the spirit of the SALT agreement.

One of those, I think, is to move more quickly on Midgetman, for example. I know that will be a very controversial issue in the Congress. There are arguments for it and against it. But it makes more sense to me to do something like that, which does give us some military capability, which the Soviets could well conclude would not have gone forward so quickly had they not misbehaved on compliance with the treaty and which, overall, would make sense for us. That, I think, is the way to deter future Soviet misbehavior in this field.

REASONS FOR DETERIORATION OF SALT

Chairman FASCELL. During the Nixon, Ford, and the Carter administrations, I believe you said all compliance issues were raised and the activity in question was either ceased or the subsequent information clarified. The situation allayed our concern in the United States. That was true in the seventies but not in the eighties.

What makes the eighties different?

Mr. BROWN. I think Soviet misbehavior has been more severe. I think the approach followed by the U.S. administration has been less constructive and less productive.

I don't want to overdo the atmosphere business, but certainly the early years of the eighties were featured rather extreme rhetoric, a denigration of the entire arms control process and its fruits, and specifically—in the case of the special consultative commission—I understand there was a reluctance on the part of the administration to take up SALT II matters in that forum because it would have implied approval of the SALT II Treaty, which the administration, current administration, regarded as fatally flawed and not in the U.S. interests.

I think the President's decision last summer showed a certain change in those views, but certainly in the early years of the eighties what was reflected was a feeling that SALT II helped the Soviets and hurt the United States.

Chairman FASCELL. Mr. Berman.

Mr. BERMAN. Thank you, Mr. Chairman.

POSSIBLE EFFECTS OF UNITED STATES UNDERCUT ON PUBLIC OPINION

I would like to explore this point you made earlier that the Soviets, by not acknowledging that they were violating SALT II, are in a somewhat different position than we are if we acknowledge publicly that we are making a relatively de minimis violation of SALT II that is, say, drydocking rather than dismantling the two Poseidons.

Why is this distinction important?

Mr. BROWN. We do have a problem.

The violations and borderline activities of the Soviets with respect to SALT so far are not of great military significance. What we would do, if we abandoned SALT II by failing to dismantle Poseidons, would not be of very great military significance. Neither of those is very important.

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The question is really, what comes next? There the public attitude is a critical matter. If you start down the path of eroding these agreements piece by piece, you will, I think, be left within a fairly short time with no effective agreements. That, as I say, will hurt us militarily, at least in the short run.

Some of the people who think we ought to abandon SALT would admit that, but would say at least it will wake us up. We will not count on these soporific arms control agreements that don't help us at all. I think they are wrong, but there should be little disagreement that in the short run abandonment of SALT will move the military balance unfavorably to the United States.

I think we are faced here with the difference between two societies.

Soviet spokesmen don't debate whether what they do was legal or not. They will always argue that it is legal. This is an open society. We agonize over these matters. That is a nuisance in this kind of international relationship, but it is a price, I think, well worth paying for its benefits in being the kind of society that we are.

You will have Americans—American experts, informed Americans, well-meaning Americans—who will say, of Soviet actions "Well, yes, technically it is a violation, but it is not really a Soviet violation." So, it won't be all Soviets saying one thing and all Americans saying the other. It will be all Soviets saying they are in compliance and some Americans saying we are not in compliance.

Mr. BERMAN. Some Americans will say they are not violating?

Mr. BROWN. Not violating so badly.

There are lots of cases where Americans—perfectly, patriotic Americans, people whose judgment on national security matters I trust—who will lean over backward, who will say of a U.S. radar deployment, gee, that is sort of a violation. Whereas, if the Soviets were doing that, they would say, well, you can't be sure that is a violation. It is the way we go at things.

We negotiate in a constructive way most of the time—not all of us. But we are just stuck with that. I don't think there is any way out of that.

POSSIBLE SOVIET MILITARY RESPONSE TO UNITED STATES UNDERCUT

Mr. BERMAN. If we were to openly undercut SALT II as opposed to the way it may be being undercut at the periphery now by the Soviets—wouldn't the easiest, cheapest, quickest reaction of the Soviets be to take their SS-18's and add four warheads.

Mr. BROWN. They could certainly add four. They could certainly add two and probably four rather quickly.

There are some more extreme versions. They certainly have enough payload to add—to go to 20 warheads on that missile. Unless they have—they are all geared up to do it, which we don't think they are, that would take them some years. They could however, probably increase their warhead numbers on the existing SS-18's, 300 of them, 300-odd of them, by 40 percent quite quickly. That would be 1,200.

Some analysts will tell you, well, maybe they have done it already. This is one of the possible violations I haven't talked about.

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But there is a difference between, well, maybe they might be doing it, or they could do it quickly, and, gee, they have done it and it is legal because we have abrogated the SALT II no undercut policy.

Mr. BERMAN. Let's assume they have not done it. What would the consequences be in terms of increased Soviet hard target kill capability, and total deliverable megatonnage of their SS-18's.

Mr. BROWN. That is 1,200 warheads, which is comparable to the entire SS-20 force. Of course, the SS-20 force can't reach the United States.

What would those 1,200 SS-18 additional warheads do? Our land-based ICBM's are already at risk. So, this would just be overkill to those. But it would give them 1,200 more warheads they could put on barraging bomber bases or command/control facilities, or all the other things we legitimately worry about.

It is not an overwhelming increase, but it is an increase that we would certainly worry about if they were suddenly to come up with it in another way. In other words, it is equivalent to adding 120 SS-18's. We would find that very troublesome.

Mr. BERMAN. Thank you, Mr. Chairman.

Chairman FASCELL. Ms. Snowe.

Ms. SNOWE. Thank you, Mr. Chairman.

Mr. Secretary, what do you feel about proportionate response or having the United States only agree to those provisions that the Soviets are adhering to and abrogate those provisions of SALT II that the Soviets are not adhering to?

Mr. BROWN. I think that proportionate response is less appropriate than effective response. An example: Some people may think a proportionate response to encryption of Soviet telemetry is encryption of U.S. telemetry. I find that not helpful to us, probably counterproductive, because it would certainly encourage the Soviets to encrypt everything in their telemetry. We would be worse off than we are now, and we couldn't blame them. We would have done it.

That, I think, is also my objection to saying we will only adhere to those provisions which the Soviets are adhering to. It gets you into a legalistic game. If we say the Soviets have violated the launcher number and we, therefore, will go ahead with more launchers, that—even that legalistic approach doesn't, I think, justify retaining the Poseidons in the force or in drydock, because that would violate a different provision, the limit on MIRV'd launchers.

So, I think it makes more sense to respond with actions that are within SALT II, but help us militarily.

EFFECTIVE UNITED STATES RESPONSE TO SOVIET VIOLATIONS

Ms. SNOWE. You mentioned earlier about accelerating the development of Midgetman as a way of responding.

Do you think that that would be an effective response?

Mr. BROWN. I think it would be an effective response. That helps us militarily. It is something that I think is in doubt now, just looking at the mood in the Congress. If the Soviets think that as a result of their actions the Congress has been led to proceed with or accelerate a program that helps the United States militarily and makes it more difficult for the Soviets to carry out a counterforce strike, then maybe they will think twice before they violate the

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letter or spirit or take advantage of loopholes in arms limitation agreements.

SOVIET MOTIVES CONCERNING VIOLATIONS

Ms. SNOWE. Do you think it is lack of good faith on the part of the Soviets with their violations, or were there ambiguities in the treaty as well?

Mr. BROWN. This kind of psychoanalysis is difficult to do. It says more about the person who does it than about the Soviets.

My own view is that they always take full advantage of every ambiguity and every loophole. They make a serious effort, I think, not to violate agreements. But I think sometimes they slip. In other words, sometimes they are so clever at trying to take advantage of everything, or sometimes they don't look at the right policy level to assure that things are being carried out legally; and I think sometimes they slip.

I don't think that they are trying to gain an overwhelming military advantage just by violations. I think they are trying to get marginal advantages by interpretation and by taking advantage of ambiguities and by an occasional overstepping even of those bounds.

But I think what they have in mind is marginal advantage and not overwhelming superiority, by this means. If they could get overwhelming superiority, they would do it. I don't think they expect to get overwhelming superiority by a violation of agreements.

IMPACT OF A NUCLEAR TEST BAN

Ms. SNOWE. There will be an amendment offered this week to the supplemental appropriations to cut off all funds for nuclear testing.

Could you tell me how you would feel about such a proposal and the impact it might have on the modernization of our strategic forces?

Mr. BROWN. I happen to think that the comprehensive test ban is kind of a red herring. I don't think it is a central issue to the military balance. I think it is largely a public relations question and propaganda question.

That is not to say that there isn't some utility in a test ban and some risk in a test ban. When it comes to preventing nuclear war, or improving United States-Soviet relations, I don't think it plays a big part. I don't think it is comparable with the strategic arms limitation agreements.

As to your specific question, I think a comprehensive test ban would reduce confidence in performance of the stockpile of our nuclear weapons. I think it could have asymmetrical effects in this regard. It may be the Soviet confidence would be less eroded than the United States confidence.

On the other hand, I believe that if our weapons designers are as worried about this as some of them say, they could have redesigned the weapons and tested them so they wouldn't have this worry. A good fraction of the weapons in our stockpile have never been tested, and there is no intention to test them. So, it is the possibili-

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ty of being able to test if something goes wrong that some of those weapons designers are preserving rather than insisting on testing every one they design, because they don't do that.

There is also the single part of the Strategic Defense Initiative Program that depends on new nuclear developments, the so-called x-ray laser. That clearly would be cut out if there were a comprehensive test ban; and that happens to be one of the more interesting parts of the Strategic Defense Initiative Program.

My own view of that program is sufficiently negative or pessimistic so that I don't think that by itself that is a decisive reason not to have a comprehensive test ban. Where I come out is I think that a comprehensive test ban is a distraction from the main issues of arms limitation.

Ms. SNOWE. Thank you, Mr. Secretary.

Chairman FASCELL. Mr. Secretary, thank you very much.

Mr. BROWN. I appreciate again the chance to appear before you, Mr. Chairman.

Chairman FASCELL. I am sorry, Jim.

Mr. Leach.

Mr. LEACH. Mr. Secretary, I hadn't intended to ask any questions knowing you wanted to leave. But I do have one.

It is fair enough to say the CTB is often stretched and it may not be the most important arms control issue. I think it is important for us to know if you can favor a CTB understanding, it is not the most important issue.

Do you think it is a mistake to go forth with one?

Second, you related a test ban to the United States-Soviet balance. Here again, I think most people in the arms control community would recognize again it is not of as much significance as other arms control initiatives. But it also has a relationship with the proliferation issue, which is of more significance as we deal with the world of terrorism.

Notwithstanding the demurs about distraction, does this mean you oppose or support a CTB?

Mr. BROWN. Mr. Leach, my own view is the United States should proceed with threshold test bans of decreasing size as verification becomes possible. I think it is possible to verify down to a few kilotons now. I would support a 5-kiloton threshold test ban for that reason.

I would not want myself to see a comprehensive test ban in the absence of verification down to zero. That is not in the cards.

Mr. LEACH. Let me pursue this. That is certainly not with national means of verification.

There is a new ingredient to this issue of the test ban in the sense that for the first time in 35 years, the Soviets have at least verbally expressed the notion they will accept apparently substantial onsite inspection, which makes the prospect of verification even down to smaller levels more credible.

With substantial onsite inspection, would your attitude toward the comprehensive test ban improve?

Mr. BROWN. I would prefer to enter into negotiations on that question. I would be prepared, certainly, to try to negotiate a comprehensive test ban.

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The proof of the pudding would be what you could actually negotiate along those lines. In the meantime, I would support a threshold test ban treaty with a rather low threshold.

On the issue of proliferation, I think my view differs from yours. I think it would remove an excuse for other countries to engage in nuclear proliferation. But I don't think it would remove their reasons. Those who wouldn't with it, wouldn't without it; and those who would with it, would without it.

Mr. LEACH. For the point of clarification, let me understand. With substantial on-site inspection, you can support the principle of comprehensive test ban?

Mr. BROWN. Yes.

Mr. LEACH. You would move——

Mr. BROWN. I would support negotiations for a comprehensive test ban under those circumstances and see how the negotiations came out.

Mr. BERMAN. Will the gentleman yield?

Mr. LEACH. I would be happy to yield.

Mr. BERMAN. Thank you.

You gave, I thought, a very helpful evaluation, based on your review of what evidence is available, of the state of Soviet alleged violations in different areas. The administration is asserting violations in this area, as well.

Mr. BROWN. On the test ban?

Mr. BERMAN. The threshold test ban.

The Director of the Arms Control and Disarmament Agency says, there is no question that there have been significant numbers of Soviet tests above the 150-kiloton range since that threshold test ban treaty was signed.

Mr. BROWN. I have looked at the evidence, but not recently, and not in detail. It is a matter of statistics and seismology.

Again, my own judgment is that you cannot make an unequivocal case that the Soviets have violated that threshold. They clearly have worked up at the high end. They may have violated it on some occasions.

I think that on the basis of the evidence that we have and the recent reexamination of the seismic paths and the effect on the relationship between magnitude and yield, you cannot say unequivocally that they have violated it. It is suspicious, but it is not certain.

Mr. BERMAN. Since the hearings the chairman held on the issue of verification where we had some disagreement, we had one witness—a seismologist—indicating a very different view about Soviet test levels than the administration—I do notice the administration has now recalculated their calibrations to move more in the direction of that seismologist's calculations.

Mr. BROWN. I think the administration has not changed its view. It still says there are a significant fraction, like 10 or 12, that are outside what they regard as the statistical limits of probability, even with this new calibration.

In my judgment, that overestimates the precision of the science of seismology.

Mr. BERMAN. Thank you.

Chairman FASCELL. Thank you very much, Mr. Secretary.

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Ambassador Earle.

STATEMENT OF HON. RALPH EARLE, PARTNER, BAKER & DANIELS

Mr. EARLE. Thank you, Mr. Chairman.

As a result of Secretary Brown's presentation, I can be even more brief than I intended to be since I agree substantially with almost everything he said; certainly with his conclusions and most of the reasons for reaching them.

If I may, I will take a few minutes and make a few comments, and then take whatever questions you may have.

GENERAL COMMENTS ON SALT

First of all, with respect to compliance, I think that Dr. Brown's analysis of the four issues which have been raised was quite accurate, that is, the principal issues raised by the administration.

I understood the chairman's question somewhat differently than I think Dr. Brown did about putting these issues in Geneva. I agree they should not be put at the negotiating table, but I think if the chairman implied that they should be put back into the SCC, then I would agree with the chairman. That is where they belong. I don't think they have been fully or sufficiently explored in that forum.

The administration finds itself, I think, somewhat on the horns of a dilemma because, as Dr. Brown suggested, it is hesitant to discuss SALT II matters in the SCC, lest it be interpreted by the Soviets as an acceptance of SALT II.

On the other hand, the administration complains about violations of SALT II, and the SCC is the appropriate place to make those complaints. I think the administration could maintain its view about SALT II but still should use the SCC. And I think, as I suggested, that it has not been sufficiently utilized.

With respect to the effective response as opposed to the proportionate response of going forward with Midgetman, I would agree with Dr. Brown that we should certainly go forward with the development of it. I am not sure that I would go as far as he would with respect to deployment because I think that that would take us into the same tricky area that this hearing is all about, and that is the issue of a conscious and deliberate violation of the treaty.

With respect to the impact on the negotiations of the possibility of not dismantling and destroying the two Poseidon boats, or at least their tubes, I think I take a somewhat more serious or pessimistic view of the impact that would have on the negotiations in Geneva. I think a deliberate and overt violation by the United States could have at best a chilling effect upon those negotiations.

I was thinking about it in the commercial sense. If one had negotiated with a large company for the purchase of one of its affiliates which was agreed upon, and in the midst of a second negotiation there was a major lawsuit about noncompliance with the first acquisition, I think the second negotiation would terminate. It certainly would have small chance of success.

I think we also have to go beyond the SALT regime in considering a deliberate and overt violation, and that is simply the impact on all other international agreements.

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I agree with Dr. Brown completely that if the Soviets maintain that they are not violating, that they would have the advantage if we, as I say, overtly did it.

I won't bother to comment on the military impact of the various options. I think Dr. Brown covered them.

But one point I would add: I think one of the benefits of the SALT II Treaty, and any subsequent arms control agreements, is that it creates a possibility or probability of predictability on the part of both sides regarding the other's deployments. I think once you start down—and I hesitate to use the overworked phrase "slippery slope"—but once you start down that slope, predictability diminishes to the point where it might be lost.

I think those are the only comments I have at the moment, Mr. Chairman.

NUMBERS NEEDED FOR DETERENCE

Chairman FASCELL. Thank you, Mr. Ambassador.

The Soviets have made it quite clear that they don't intend to allow the United States, either directly or indirectly, to gain military superiority in any field, whatever that means. We made it quite clear in the United States that we certainly don't intend to allow the Soviets to do the same thing. With respect to the SALT agreements, they do in fact restrain the arms buildup. So, what both you and Secretary Brown are saying, is that there is a value to that restraint, even though questions arise on both sides with respect to many issues.

If the fundamental position of both countries is that neither side will gain military superiority, the question I am asking is, I guess, very simple: When do you have enough warheads or destructive power?

If all restraints are thrown to the wind, if you adopted the ultimate position on this whole issue, which is basically that you can't trust the Russians, they violate every agreement, and therefore we ought to just step out of all the agreements, and Geneva is really a soporific to the masses because nobody really believes in arms control; and besides that, you can't trust the Russians, et cetera, et cetera, ad-in finitum, adnauseam.

Therefore, the only way to protect yourself is to keep building better, faster, bigger, and more. That is the way I translate the thinking of some people in this country.

The Soviets have made it quite clear they don't intend to allow that to happen without a struggle, and that they are willing to pay whatever price has to be paid in terms of standard of living. They have demonstrated that already.

The question is, when is enough enough? Can you give us some kind of handle, those of us struggling with the ridiculousness of an unlimited, accelerated arms race?

Mr. EARLE. When is enough enough? How about now? It seems to me that is the shortest answer to that question. It seems like we are well past the enough is enough point.

I understand right now the combined megatonnage on both sides is the equivalent of 3 million Hiroshimas. It seems to me that is enough. I think we might well afford some reductions.

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Chairman FASCELL. Well, you did it in a way that I appreciate you doing it, Mr. Ambassador.

The other question: I have always felt that we have had too much, anyway; that more and better and even newer sometimes does not give you more security, not automatically. You have to take a whole host of other factors into consideration, it seems to me.

Mr. EARLE. May I comment, Mr. Chairman?

Chairman FASCELL. Please.

Mr. EARLE. It seems to me—and I know I have been guilty of it in the past—when we get to the nitty-gritty, the numbers, the warheads, the systems, the MIRV's, and so forth, we tend to lose sight of what we are talking about.

What we are talking about is nuclear weapons. We live in a nuclear age. It is not going to go away. The genie is not going to be put back into the bottle without a CTB or whatever agreement arms control negotiations may result in.

I think we have to keep that at the forefront. That is why I was impressed when I saw that figure about 3 million Hiroshimas. This is not 1942 with blockbusters taking a single block of London or whatever city might be attacked. This is 1986, with single RV's taking out entire cities.

I do think we have to keep that in the forefront of our mind. Sometimes we forget it.

Chairman FASCELL. Absolutely.

CONSEQUENCES OF A NUCLEAR WAR

Let me ask the same question a different way: We are playing a numbers game that has limited utility in this issue, as far as I am concerned. I clearly, thoroughly agree with you.

I keep hearing testimony and discussions in terms of the destructive capability of the fireball or the explosion, or whatever you want to call it in technical terms, and I hear very little discussion about the aftermath, as if it does not even exist. Three million Hiroshimas dropped anywhere, or even half of that amount, or a third—I don't even know what the number is; certainly it is not very many—it would seem to me it would not only destroy the cities because of the impact and the explosion involved—the thermal fire, all the other things—but don't we have to contend with and take into account fallout?

Mr. EARLE. I think you have to take into account fallout. I think even beyond that—and it is generally accepted by the scientific community, not only in the United States, on a bipartisan basis, but also in the Soviet Union—the concept, originally articulated by Dr. Sagan of nuclear winter. A thousand megatons creates a situation of not only fallout, fire and blast, but subsequent dust and smoke, which would reduce the temperature of the Earth to such an extent that it might well become uninhabitable.

That is a thousand megatons. That is a fraction of what exists right now.

I think, of course, that—it is obvious, but again we tend to forget the terrible consequences of an exchange.

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Chairman FASCELL. Refresh my memory, if you know this fact: What is the half-life of the fallout on one of these missiles? How long is it radioactive, in other words?

Mr. EARLE. I don't know. I can't give you a figure.

Chairman FASCELL. It seems to me, as I recall, it could last for thousands of years.

I think it is worthwhile discussing this phenomenon in the context of an arms race devoid of any limitations, and mutual agreements.

It seems to me we have to take into account the simple fact that fallout from 1,000 megatons would poison all the land, poison all the water, and destroy people in the process just because they are exposed to it. So, the numbers game doesn't mean very much to me in terms of the future.

I am not demeaning the fact that we need to have modern, effective weapons at our command.

REDUCING RISK OF NUCLEAR CONFLICT

Mr. EARLE. I think, Mr. Chairman, that we should, of course, continue the negotiations to try to reduce the numbers. But I think at least as important, what we should do—and it was mentioned briefly in the summit communique in November last—is focus on attempting to establish some kind—some better sort of communication to prevent crises from arising between the two sides; and if they arise, to manage them in a fashion that would prevent a war starting, such as happened in 1914 when, through misunderstanding and arrogance, rhetoric and inertia, the great powers went to war in a fashion none of them really intended to.

Chairman FASCELL. Are we talking about risk reduction centers?

Mr. EARLE. Yes; something along those lines; yes.

Chairman FASCELL. Something along those lines.

PREREQUISITES FOR PROGRESS AT GENEVA

Mr. Ambassador, proposals and counterproposals have been made, both in public and laid down at Geneva. We have two great leaders here about to meet again to discuss this question and related questions. They confront the world.

As an experienced chief negotiator, what does it take to get the negotiators in Geneva who are discussing the whole question of the future of the world off the dime and to start negotiating?

Mr. EARLE. Well, I think it takes political will on the part of those two leaders, a real desire to see an agreement. It happened in 1974 when President Ford went to Vladivostok and met with General-Secretary Brezhnev, and they came up with the so-called Vladivostok accord, which set the ground rules and parameters for what was eventually the SALT II agreement. I think that can be done again between Mr. Reagan and Mr. Gorbachev.

SDI'S IMPACT ON NEGOTIATIONS

But I think there is one major obstacle to it, and I think that is the SDI Program on the part of the United States. I have no objection to a reasonable amount of research. In fact, I approve of it; I

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encourage it. But I think the Soviets are simply not going to have the political will to go forward with an accord such as was made in 1974 until they are assured that we will continue to comply with the ABM treaty. I think that that is something that the administration has not made clear at best.

They have said that the research is not in violation. That, of course, is correct. They have not said if the research is productive that they will not get to the testing and perhaps even the deployment.

The Soviets are saying, as long as you are going forward with that program, how can you ask us to reduce our offensive weapons? You are asking for a 50-percent cut and, at the same time, going forward with a program which will negate the effectiveness of the 50-percent remainder.

I think that position could easily be eliminated, or rather, that argument, on the part of the Soviets, if we made a firm statement to them, privately and publicly, that we will not violate the ABM treaty. And then we are going to go forward with research, just as you are going forward with research. But we will not violate the ABM Treaty. Now, let's get to the discussion of the reduction of offensive weapons.

I think that would break the log jam, but I don't think we are prepared to do it.

IMPORTANCE OF ABM COMPLIANCE

Chairman FASCELL. As you know, of course, efforts have been made to expand the interpretation of the ABM Treaty. How and why that card was played seems to me to be very simple: To undermine the viability of the ABM Treaty. Because of the immediate reaction to the reinterpretation, both within the United States and among our allies, wisdom temporarily prevailed and we had an announcement from the Secretary of State, and lo and behold, also from the Department of Defense that put the new interpretation on hold.

Mr. Perle sat right where you are now and restated the position of the United States with respect to abiding by the stricter interpretation of the ABM Treaty; he also did not disavow the new legal interpretation. I guess all of this has created an element of uncertainty in the minds of the Soviets with respect to the ABM Treaty.

What should we do now to straighten this situation out? You are saying, as I understand you, that it would take a direct communication from the President of the United States to the General Secretary, in private and in public, that we do not intend to fiddle with the ABM Treaty, that it will stay in place, and that we will abide by it as we have for the last 13 years.

Mr. EARLE. And should repudiate the interpretation which we discussed in this room last fall.

Chairman FASCELL. Thank you.

Mr. Berman.

Mr. EARLE. Thank you.

Mr. BERMAN. Thank you, Mr. Chairman.

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JUSTIFYING COMPLIANCE DESPITE SOVIET VIOLATIONS

Welcome, Mr. Ambassador.

Let me pretend for a second that I think we should break out of the SALT limits. What purpose is there to reaffirming the ABM treaty?

We heard Secretary Brown say the Soviets are about completed with the Krasnoyarsk early warning radar station in the middle of the Soviet Union, in violation of the ABM Treaty.

Is that SALT II or SALT I?

Mr. EARLE. SALT I.

Chairman FASCELL. And they have all those SS-25's deployed, too.

Mr. BERMAN. And they are encrypting telemetry.

So that we can't figure out what type of missile the SS-25 is. Just speak to the ABM Treaty. Who is reaffirming what? How do we move ahead in any of these areas, even if I liked the logic of trading off SDI?

How do we—even though I like your arguments for staying within the SALT limits, how do we justify this in the face of Soviet violations?

I heard the Director of the Arms Control and Disarmament Agency saying how can we allow this to happen? How can you move ahead in arms control when these violations go on?

Mr. EARLE. As a matter of fact, Mr. Berman, your question adds a little bit to the answer I was going to give.

Yes, I think we should reaffirm the ABM Treaty. I think we could make it conditional on the dismantling of the Krasnoyarsk radar.

I agree with Dr. Brown; it is not yet a violation. The treaty prohibits deployment. It hasn't been turned on. It is obviously an anticipatory breach, at least, of the agreement.

I think that would be a perfectly reasonable thing for Mr. Reagan to say to Mr. Gorbachev:

> I am prepared to limit SDI to research and reaffirm the ABM treaty, which as we all know is one of unlimited duration; and you guys take down that silly radar you are building up there.

Mr. BERMAN. The irony of one administration's consideration of breaking out from SALT II at this particular point, is that it would certainly allow and might encourage the massive buildup of offensive weapons warheads, and launchers, which would undercut what little envisioned effectiveness this administration's SDI system might have.

In other words if you are for SDI, there is a real logic to SALT II, and even toughening up on SALT II. The administration undercuts their support of SDI by considering it a violation of SALT II.

Mr. EARLE. SDI, of which I am hardly a great fan if it were to work—it is working against a given number of Soviet reentry vehicles and boosters. If they were unlimited in the number of RV's and boosters they could have, it just makes the task of the SDI system that much more difficult.

You are right; it is ironic.

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ROLE OF CTB IN ARMS CONTROL PROCESS

Mr. BERMAN. One final question; perhaps then some followups to it.

Do you agree with Secretary Brown's analysis regarding the worth of pursuing the comprehensive test ban negotiations, that it is somewhat of a distraction from the main focus of arms control; that it has no real meaningful consequences on the proliferation issue?

Mr. EARLE. Curiously, although I was the Director of the Arms Control Agency in the Carter administration, I do tend to agree with it. My own proposal, which I have been pushing for a few years, is, as Secretary Brown suggested, a lowered threshold; but also with a declining number of tests per year; and, in order to assist the verification, advance notice of each test; do that for 3, 5 years, and see how it works, see whether the arguments of the laboratories about reliability and loss of scientists are valid. And, if problems exist, then you can plateau. If they don't exist, perhaps you can continue eventually to a comprehensive ban.

I am really somewhat skeptical of going to a comprehensive ban immediately or in the near term.

Mr. BERMAN. Is part of this the warhead reliability issue?

Mr. EARLE. That is one of the arguments made, yes.

Mr. BERMAN. One of the arguments by proponents of negotiations for the comprehensive test ban?

Mr. EARLE. No; it is made by both. The proponents of the CTB say reliability decreases; therefore, people are less likely to use them. Opponents——

Mr. BERMAN. For a first strike?

Mr. EARLE. Yes.

Opponents say the reliability decreases; therefore, you run a risk of use or lose.

I don't know which is right. I am not sufficiently versed in the nuclear technology to be able to make a distinction. Harold Brown could, of course, because he was Director of Livermore.

As I say, I have kind of a gut, layman's feeling about it that I would be hesitant to prevent all testing without considerable experience of testing at lower numbers and lower levels.

Suppose we had a ban on the flying of our heavy bombers and their heavy bombers; that would bother me—the training of crews, and so forth. I think there are valid arguments to keep it going for a while.

Mr. BERMAN. Part of that argument with respect to decreased reliability, is that you in effect provide more stability by giving less confidence in the country's own first strike capability.

Mr. EARLE. Yes.

I wasn't comparing them in that sense. I was comparing them in my, as I said, gut reaction to not being confident whatever weapons system you have would function.

Mr. BERMAN. Thank you, Mr. Chairman.

VERIFICATION PROBLEMS

Chairman FASCELL. Mr. Ambassador, when I spoke to the General-Secretary here a few days ago, I told him that certainly it was

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not in the cards that he would expect to get an immediate comprehensive test-ban treaty. It was just not in the cards; the United States is not ready militarily or politically to do that. And while it is a legitimate matter for discussion and worthy of negotiation, he should understand that if the negotiations started tonight on a comprehensive test ban treaty, we would not get one, and that, therefore, he should consider some kind of a phased-in approach in reaching a comprehensive test ban in consideration of other matters that are now being negotiated at Geneva; and the ultimate question of verification, satisfactory verification, is at the bottom of all this.

I suggested a scenario to him which is slightly different from the one you have been supporting. But there are many of them. I told him: "Mr. General Secretary, there are many proposals to get where we both want to go and to do it in a rational and secure sense, and one of the things that both of us need to do is quit playing Ping-Pong with the issue in the media and get down to business. Now, why don't you take up the President's invitation to go to Nevada and look at this Cortex system?"

His response to that was, "Because it is contradictory to our principles. We have been supporting a comprehensive test ban treaty, and it would be demeaning for us to suddenly show up at a test which, in effect, says that we are going to continue testing, for whatever reason, and we want to see what the system is."

I said, "Well, there is a way around that, obviously. We don't want you to bend your principles. We are certainly not going to bend ours. So, we better get our heads together and figure out a sensible way to do this.

"Now, why not—I am asking you this question now: Why not, under those conditions, agree, first, on * * *"—wait a minute. Before I do that, let me precede it with this statement:

I asked this question: "Are you satisfied with your capability with regard to the determination of tests anywhere in the world?"

He said, "Absolutely." And he said, "So is the United States."

I said, "Well, then, it makes it very easy. We have different systems. Why not get our scientists together and agree what the regime will be?"

He said, "We offer and are prepared to negotiate any kind of verification regime the United States wants, including * * *"—he said it publicly; he said it privately—"* * * including onsite inspection."

I said, "Why not then start at the bottom of this process? Why not get an agreement on the system of verification?"

What is your response to that?

Mr. EARLE. Was this all in the context of a test ban, or just——

Chairman FASCELL. Both. Test ban, Geneva, the whole thing.

Mr. EARLE. Well, I think I disagree with the premise in your question, Mr. Chairman. I think you first have to determine what kind of limitations you want, and then determine whether they can be verified and work out the verification systems.

Chairman FASCELL. Well, if you agreed, for example, on a lower threshold?

Mr. EARLE. Fine. You agreed on a limitation.

Chairman FASCELL. You reach an agreement on that, you can tie it into the verification, or vice versa?

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Mr. EARLE. Absolutely.

In connection with the verification of testing, as I am sure you remember in the 1977, 1978, 1979 time period, we had negotiations with the British and Soviets with respect to a comprehensive test ban. There was agreement in principle by the Soviets to the emplacement of 10 unmanned seismic stations in the Soviet Union, and we were quite confident that they would have done the job.

If that is what Gorbachev is talking about in terms of onsite inspection, that is really nothing new. If he is talking about human inspection, that, of course, is something new.

I have to say that I am always skeptical of onsite inspection. I think it depends entirely upon the provision or limitation that it is dealing with. Onsite inspection is not a solution to a great many arms control—potential arms control limitations. It is the solution to some.

Chairman FASCELL. We still get down to the basic point, which is you have to negotiate in order to get an agreement on what the verification is, the limits, whatever it is that you are trying to verify. You can't stand there and fire broadsides from across the ocean.

Mr. EARLE. Absolutely. And it takes a lot of time.

Chairman FASCELL. You advocated a lowered threshold test ban treaty down to how many tons?

Mr. EARLE. Well, Harold Brown says 5 kilotons. If that is good enough for him, it is good enough for me.

Chairman FASCELL. In other words, it is a step to get a phased-in position so that as we gain the experience, science catches up with us, we gain more confidence and security, then we can proceed on?

Mr. EARLE. And I would make any such agreement for a limited period of time so it could be analyzed and reassessed to determine whether it was a success or not.

Chairman FASCELL. All right.

Now, about Cortex, whatever that is, I gather we have had that for some time despite protestations in this committee over a long period of time that we didn't have a satisfactory method of determining explosions, and all of a sudden one of them appears like you took it off a shelf overnight. It pops up. Here we are ready to discuss it with the Soviets—not the Congress, of course, but the Soviets.

And the President says—and we urged Gorbachev, by the way, to accept the President's position—he said, for the reasons I mentioned earlier, that he could not because he saw that as a complication of principle; and I said that is easy to get around.

Suffice it to say—only because you have been supporting a phased-in approach to this issue, suffice it to say that all the people that we talked to over there—and we talked to a lot of them, a great many people—they have asked—they asked us to review with them the phased-in process, how do we get from A to Z, about three or four times. I really believe they are interested if somebody approaches them.

Mr. EARLE. I am glad to hear that.

Chairman FASCELL. Mr. Hyde.

Mr. HYDE. Thank you, Mr. Chairman.

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I note with interest your suggestion that somehow the administration should first negotiate with Congress and then negotiate with the U.S.S.R. Of course, that is what we do.

Chairman FASCELL. Henry, I was only talking about Cortex. They sat here for weeks and told us they couldn't even talk about any kind of verification program because the technology wasn't there. We would never be sure; and the earth is square instead of round. They gave us all kinds of excuses.

Mr. HYDE. These are people like Donald Kerr.

Chairman FASCELL. It doesn't make any difference who they are, Henry. I love them all. They are all great, brilliant men. You don't reach off the shelf one day and tell me you have a system of verification, you are willing to have the Soviets come over and examine, and tell the Congress the day before you don't have any system.

Mr. HYDE. I am not qualified to debate that. I wish Dr. Kerr formerly of Los Alamos National Laboratory, or the other people who were versed in this, could respond.

Chairman FASCELL. We are going to have them here, Henry. I am not fussing at the fact that we don't have the technical explanation of it. I am fussing at the politics of it—in trying to get two great countries here on a serious issue, to get off the front page of the newspaper, and get down to serious business. That is all I am trying to do.

Mr. HYDE. Sure. If Mr. Gorbachev would stop making his announcements in the press, and I am sure you took him to task for this.

Chairman FASCELL. We did.

Mr. HYDE. Good. I applaud you.

Chairman FASCELL. You should have been there. You would have pinned a medal on me.

CTB AND NATIONAL DEFENSE

Mr. HYDE. I wish I had been invited. I was in Kuala Lumpur at the time.

Ambassador Earle, I have been really interested in your testimony, and I must say I did not hear the earlier part, for which I beg your pardon. I was otherwise engaged.

What I did hear, I am very pleased with. Let me ask you a couple of questions.

The comprehensive test ban treaty, which is a particular interest of the chairman's, we recently passed a resolution telling the President he should commence negotiations on a comprehensive test ban, verifiable comprehensive test ban treaty. We defeated a resolution which said within the context of mutual, balanced, verifiable, militarily significant reductions.

I regret that, because I would like to think arms control involves a package of test bans, reductions, and that sort of thing. But Congress having affirmatively thrown that out—and we have just had this splendid isolation comprehensive test ban treaty—I am just wondering whether Secretary Brown's and your idea that we just can't leap into this, but it has to be done in a phased, orderly fashion so confidence-building in verification and sincerity on both sides could occur.

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But what bothers me is, we look at comprehensive test ban treaties in isolation. If we lose confidence in our nuclear deterrent, which is what Senator Kennedy has said he wants, what Berkley Bedell, the chief sponsor of the resolution we passed, along with the chairman, says he wants, if we do lose confidence, God help the people that have to work around this stuff, especially in view of the *Challenger* tragedy.

Let's say we find some pioneer spirits that are willing to work around nuclear weapons in which nobody has any confidence. Then the theory is we won't use them because we don't know whether they are workable or not. There goes our nuclear deterrent.

Does that not leave us confronted with an overwhelming conventional Soviet force? And we have thrown away our trump card. We have thrown away our defense on the cheap in Europe. While we are negotiating this loss of confidence in our nuclear deterrent that these people want, had we better not simultaneously be negotiating down the number of tanks, the number of troops, and the number of conventional weapons aimed at Europe?

Aren't they inextricably linked?

Mr. EARLE. Well, I think in principle I agree with you completely. I think what you have to do is have a coordinated arms control policy that is also coordinated with the whole national security policy, including relationship with the Soviet Union. Now, that is easy for us to agree on that principle.

It is when you come to the individual items that we may or may not agree. One should not burden negotiations with too much baggage. To say that you could not—you should not reach an agreement to reduce nuclear testing for 3 or 5 years until there is a mutual and balanced force reduction——

Mr. HYDE. Did you say reduce or eliminate?

Mr. EARLE. I said reduce; even eliminate.

Until there is an agreement in Vienna, I think that might be too heavy a burden to put on the first negotiation. After all, they have been in Vienna 13 years in October.

Mr. HYDE. It is like Pyongyang. This idea of negotiating with Communists is an illusion. We keep trying. I guess we should.

Mr. EARLE. Just as you should deal with each individual limitation with respect to verification, I think you ought to deal with each condition of each negotiation.

Mr. HYDE. You wouldn't lock us into a comprehensive test ban treaty indefinitely unless somewhere along the line mutual and balanced force reductions got going?

Mr. EARLE. I am not even sure that would be a sufficient condition.

I am concerned about, not just the comprehensive test ban treaty, but the constantly iterated and reiterated positions of every President of the United States that we can't abolish nuclear weapons; I don't want to abolish nuclear weapons, either. I don't think we can. If we and the Soviets did it and our friend in Libya said, hey, I have two left, I think that would be a desperate situation.

I think it also meets your point about conventional weapons. The Soviets are overwhelmingly superior in Europe on a 1-day-notice basis. If we had 30 or 90 days in Europe, then they are not so overwhelming because of reserves.

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I do not want our forces in Europe to face a conventional threat from the Soviets without tactical nuclear weapons available to them.

Mr. HYDE. So, to isolate the comprehensive test ban treaty as the centerpiece, the huge diamond in the tiara of our arms control, leaves much out that could be harmful to our national security, does it not?

Mr. EARLE. I don't think it should be the jewel in our crown.

Mr. HYDE. I don't think of a crown. Tiara occurred to me.

Mr. EARLE. I think we ought to give it serious consideration. As Secretary Brown said, I think we ought to go to the table with a view toward reaching a comprehensive test ban for a limited period of time, but also to explore what I would prefer initially at least of a lowered threshold test ban.

Mr. HYDE. One more point. I appreciate the indulgence of the chairman.

I have this apprehension, uncomfortable feeling, that the Soviets, when it comes to ICBM's, have a considerable advantage over us. They have 308 SS-18's which is their MX, and they are 12 stories tall. And we will be lucky, I think, in my lifetime, to see a MX; one or two maybe. I don't know. Surely we are not ever going to get to 40 or 50, and never to 100. Of course, the 200 President Carter wanted are way out of the ballpark.

They not only have 308 SS-18 country-busters, but they have a new SS-24 and a new SS-25. So, they have got theirs, so to speak.

We are still struggling out of the straitjacket of congressional restraints on developing our MX. We have some new submarine-launched ballistic missiles, thank goodness. But I can see why they are for locking us into a comprehensive test ban. They have modern, less than 5-year-old weapons systems and we are struggling to get out of the Lyndon Johnson technology in our ICBM's.

So, there is an imbalance. It is not all that level a playing field, it seems to me. I am not saying we should not talk about comprehensive test ban and there is no merit in it, but I can see why they are enthusiastic about it and why we should be a little leery about leaping into it.

Would you comment on that?

Mr. EARLE. I am not sure I agree with all the premises in what you said. I don't think the Minuteman III is obsolescent in the slightest. I think it is as accurate or more accurate than anything the Soviets have. The fact it is smaller is simply because we are more clever and make smaller warheads that get the job done.

My reservations about a comprehensive test ban arises from the points I already made. I am not worried that the Soviets have an SS-18, and we only have a Minuteman III. I think you have to take into account the SLBM's, and certainly the air-breathing weapons, particularly the ALCM's on the B-52's and on the B-1's. I think you and I are reaching the same conclusion, but in this case for different reasons.

Mr. HYDE. Thank you.

Thank you, Mr. Chairman.

Chairman FASCELL. Mr. Ambassador, the truth of the matter is that all issues of armaments are linked, it seems to me, whether they are being negotiated at Geneva at the moment or not, or

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whether they are separately being negotiated in Vienna. At some point in time, it seems to me, if we were to get near reaching an agreement, Mr. Hyde's straw man would suddenly disappear, because it never was there to start with.

Anybody with half a brain, not being an idiot, would know that no country would leave itself at a disadvantage. Therefore, it would be the job of the leader of the country and the negotiators to make certain that that did not happen. Anybody that doesn't believe that doesn't belong anywhere around here; they belong someplace else.

DEALING WITH SOVIET CONVENTIONAL SUPERIORITY

The point I am making, however, is this—aside from disposing of the straw man—is that really the question which was raised parenthetically by Mr. Hyde is a very important issue, and that is how far can we go with respect to the whole nuclear question in terms of limitations and agreements, and so forth, without immediately running up into the conventional superiority problem, and the fact it has been on dead center for 14 years?

Mr. EARLE. I think we can go very far, Mr. Chairman. When we talk about 8,000 or 9,000 nuclear warheads on each side, we are talking about strategic weapons. That doesn't include the tactical nuclear weapons which we have in Europe and elsewhere throughout the world, land-based and carrier-based.

Chairman FASCELL. In other words, what you are telling me is this: That in looking at the overall forces, we can go a long way toward getting an interim agreement on INF and a deep reduction in START, begin discussions with respect to a phased-in test ban treaty, either by adopting the partial test ban treaty or the two that the President has suggested that he would send up to the Senate, and then proceeding with the lower limitation. We could do all of those things and not be insecure in terms of superiority of conventional forces, and that is because we have an offset in tactical nuclear weapons?

Mr. EARLE. Which was not even mentioned in your list of negotiations. They have come up once or twice in the talks in Vienna, but it is not really a realistic kind of negotiation.

So, yes, exactly; we could proceed with the three negotiations going on in Geneva—INF, START, and space—and we could open negotiations not only with respect to a comprehensive test ban but, what I would like very much to see also with respect to antisatellite weapons. None of them are inconsistent with another.

Chairman FASCELL. So, in effect, everything is really on the table at Geneva, or should be?

Mr. EARLE. Should be.

Chairman FASCELL. Mr. Berman.

Mr. BERMAN. Thank you, Mr. Chairman.

I just want to interject that Mr. Bedell, the chairman, and the others who supported the comprehensive test ban resolution would never have done so if they felt there was any reason to believe that such negotiations would undermine confidence or in any way reduce the credibility of our nuclear deterrent. The focus for our support was that a loss of confidence would make that country, which might be tempted to engage in a first strike—that is, the

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Soviet Union—less confident that it could effectively obliterate our retaliatory forces.

Chairman FASCELL. Will you yield right there?

In addition to that, let me say no one I know of has ever advocated doing comprehensive test ban treaty negotiations in a vacuum.

Mr. HYDE. If I may interject, that is precisely what the resolution did in rejecting my substitute amendment, which said within the context of mutual, verifiable, militarily significant reductions. That proposal was defeated. We are left only with a resolution that said you should enter into negotiations for a comprehensive test ban treaty that was verifiable. It seems you upgraded the test ban idea and downgraded the arms reduction idea.

Chairman FASCELL. That is impossible, Henry. They are all going to take place between the same two powers with the same two leaders. You know as well as I do that the President of the United States is not going to do anything——

Mr. HYDE. I know he is going to ignore that. But the sense of Congress puts us on the other side of the President.

Chairman FASCELL. No; it does not, my friend. All it does is make you continue to smart because your resolution wasn't agreed to. A great majority of the people thought it was not necessary to lay down a precondition in exactly the pattern that you dreamed it up. That is all that was involved here.

Mr. HYDE. I never expected to carry the day with this Congress.

Mr. BERMAN. One final point: I think the proponents of the negotiations believed that your mutual and verifiable reductions will come more readily at the point where there is a verifiable ban on testing.

Mr. HYDE. Would my friend yield?

What incentive would they have to reduce if they have all of this vast array of relatively modern systems and we can't test or develop any more?

Mr. BERMAN. If your assumption is correct—which I challenge; I assume the Ambassador does, too—that they have the modern, in-place systems and we don't——

Mr. HYDE. I am talking about ICBM's.

Mr. BERMAN [continuing]. I am led to believe every aspect of our Triad is more accurate, particularly with respect to the warheads, more advanced, more sophisticated, than any aspect of the Soviets.

Mr. HYDE. Let's talk to an expert.

What is your opinion on that?

Mr. EARLE. Past experience—I am not totally current—my recollection is the testing for the warheads of the MX was completed, and that that warhead has been developed.

Mr. HYDE. The warhead is no good if it can't get there. We are talking about delivery systems, as well.

Chairman FASCELL. You explode nuclear devices, for goodness sake.

Mr. EARLE. There is no objection on testing the MX. As I understand it, there is no inhibition on testing the MX, the delivery system.

Chairman FASCELL. The delivery system can be tested at infinitum.

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Mr. HYDE. Their array is modern; ours is not. We have 15-year-old, and more, technology, which deteriorates. Everybody knows that.

Chairman FASCELL. Henry, replacing rusty plumbing is a lot different than testing a nuclear warhead. They are two different things.

A 12-story missile is not necessarily a compliment to them. It is their inability to miniaturize.

Mr. HYDE. Are they handicapped by their 308 SS-18's?

Mr. EARLE. Maybe I better let sleeping dogs lie.

Mr. HYDE. May I ask one question, Mr. Chairman?

Chairman FASCELL. Certainly.

Mr. HYDE. What do you think of the advisability of this Congress passing an amendment that says if we don't enter into negotiations, serious negotiations, for a comprehensive test ban treaty now, that all funds for testing nuclear devices should be and will be withheld? What do you think of the advisability of that?

Mr. EARLE. I think it raises a constitutional issue which I am not sufficiently expert to give you an opinion on. Frankly, having spent my time in the executive branch, I would be concerned about such a resolution.

Mr. HYDE. Thank you. I know I am.

Thank you.

Chairman FASCELL. Mr. Ambassador, one final question.

Getting back to—we had a little fun here. It has been pleasant.

SALT AND THE SS-18

Getting back to SALT II now, the gentleman from Illinois raised a very important question about the—what is that big weapon you like? The SS-18?

Mr. HYDE. The SS-18; 308 of them.

Chairman FASCELL. That was it. I get those numbers confused. I was going to say the SS-308 and they only had 18 of them.

Nevertheless, the issue is that if both sides walk away from SALT II, then the SS-18 308 number is no longer limited. We just give them—and, as I think you pointed out earlier, I am not sure whether it was you or Secretary Brown; I think it was you—the Soviets have the production online capability of just running those numbers all the way up as far as they want, while we are still in the process of deploying the Midgetman.

Isn't that fundamental?

Mr. EARLE. Of course, that is the case.

It troubled me during the hearings 7 years ago on the SALT II Treaty when I was treated by some as if I had made a gift of 308 heavy launchers to the Soviets. They had had them for years. They were permitted to keep them in SALT I agreements signed by President Nixon, and permitted to keep them in the Vladivostok accord agreed to by President Ford.

The people who complained about their having 308, and therefore finding the treaty defective, were in effect advocating a non-treaty world in which they could have 3,008 or 30,008, which is the world we would go to if we abrogate the SALT II Treaty.

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Mr. HYDE. First of all, we ought to get updated. The 308 SS-18's are rather archaic. They have a follow-on to the SS-18.

Mr. EARLE. I just read they tested one.

Mr. HYDE. We don't have the designation on it yet. I am talking about old technology.

The argument that without the treaty they will just raise ahead into infinity and we will be left panting behind, do you really buy that? Aren't there some limits on their economic—on their economy and their ability to pour so much of their GNP into—will they really outrace us?

Mr. EARLE. I think they will, but not in an unlimited sense. I think they are prepared to spend the funds that permit them to do what they can do.

Secretary Brown's figure was that in 4 years they could produce 500 additional delivery systems and 4,000 additional warheads.

Mr. HYDE. Isn't that silly? The Chairman is fond of saying we all have enough weaponry to blow each other up 22 times. Why would they keep wanting to build redundant systems with scarce resources?

Mr. EARLE. It seems we do the same thing.

Mr. HYDE. Let's concede we are stupid. Why would they be stupid? They are so much smarter than we are. They initiate the arms race.

Mr. EARLE. Seriously, I think they are a little more stupid than we are. I really do. Not much.

Mr. HYDE. I hope you write a book on that. I will distribute it.

Mr. EARLE. I am trying to.

ECONOMIC COSTS OF ARMS RACE

Chairman FASCELL. Going to the question, Mr. Ambassador, while we are here and I have the opportunity—I raised that same question with respect to the economic costs involved in the arms race ad finitim—the General-Secretary made a point that they want the economic improvements that they feel are necessary. In fact, he was quite frank about it. Then he said, however, don't let that disillusion you in any way.

We have agreed in principle that no nation should have military superiority, meaning President Reagan and the General-Secretary. We are committed to that principle regardless of the cost. And in discussing the matter with the Finance Minister of the Soviet Union and the General-Secretary, he said the bottom line was if we have to do this, which we don't really want to, we will continue regardless of the cost even if we have to cut our standard of living 30, 50, whatever percent.

He said, "We will not let you use the arms race to spend us into oblivion. We will do whatever it takes."

So, while I don't assume anybody is any smarter or any more stupid, I do believe that they have demonstrated that they are willing to pay any price, indeed as we would, to keep anybody from gaining military superiority. So, we are right back to square one, are we not?

Mr. EARLE. That doesn't come as any surprise.

Chairman FASCELL. No.

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Well, Ambassador, I want to thank you very much for your contribution once again on this matter, particularly as the country now, the President, considers a very serious matter that could have some implications of tremendous consequence, it seems to me, on this whole issue.

I personally would hope that the President would reconfirm his position with respect to SALT II, despite the annoyances and the serious consequences of Soviet violations with regard to both ABM, SALT II, and others.

I have come to the conclusion that the advantage is on the U.S. side to continue adherence and to give the process at Geneva a chance to take hold.

Is that your general sentiment?

Mr. EARLE. Absolutely, Mr. Chairman. I am delighted and pleased to hear you say that. I hope your comments will be heeded.

Chairman FASCELL. Well, there are a lot of Members on both sides of the aisle who are not looking at this in any way in a political sense, but giving serious consideration to the national security impact of this matter. While we all get aggravated at the Soviets, because sometimes the question of suspicion and mistrust is certainly there on both sides, we do have to step back once in a while and take a cold, hard look at what is really in our best interests.

It seems to me to lift the lid on this right now where we have an admittedly imperfect regime, the least it has some elements of restraint in it that are to our advantage.

I would hope more and more of my colleagues, as I say, on both sides, would see that and we could encourage the President to stay where he is because I don't think he is taking any military risk, and I certainly know he is not taking a political risk. He is the most popular President since Kennedy and Roosevelt.

So, there is no political risk involved at all. I think it would be a very important consideration for the country.

Thank you once again, Mr. Ambassador.

Mr. EARLE. It was a pleasure to be here.

Thank you, Mr. Chairman.

[Whereupon, at 12:10 p.m., the subcommittee adjourned, subject to the call of the Chair.]

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